



ILCC News

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"Don't Be Sorry" campaign debuts in Sangamon County Pilot program tracking underage alcohol purchases also beginning this summer

D*on't Be Sorry*, the Illinois Liquor Control Commission's (ILCC) new underage drinking awareness campaign, debuted at the Illinois State Fairgrounds on April 28 in front of over 300 high school students from throughout Sangamon County. The *Don't Be Sorry* kickoff was just one of the activities during Prevention Day 2006, where students performed skits and reenactments demonstrating the effects and aftermath of underage drinking.



The *Don't Be Sorry* campaign features materials aimed at reducing underage alcohol consumption. "Sangamon County teens, parents, and liquor retailers receive tailored messages detailing the

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As the crowd looks on (left), a television news crew videotapes a drunk-driving reenactment during Prevention Day (far left). Students watch a performance group demonstrate the effects of alcohol consumption (above).

consequences of underage drinking," says Ted Penesis, ILCC Industry Education Manager. "For example, one message we created for teens focuses on the loss of freedom they will experience if caught drinking and driving."

Following the *TrAIL* of alcohol

At midnight on July 1, the State of Illinois also unveiled a new initiative in Sangamon County aimed at reducing the sale of alcohol to minors thanks to a \$100,000.00 grant from the Illinois Department of Transportation. Entitled *TrAIL* (**Tracking Alcohol in IL**), this new enforcement program will hold accountable those who provide alcohol to teens.



TrAIL investigators consist of ILCC special agents, Secretary of State Police officers, Illinois State Police troopers, and Department of Natural Resources Conservation Police. "These state investigators will follow the trail of alcohol when underage alcohol consumption is suspected in an incident that results in a hospital emergency room visit," Penesis says. "When this scenario occurs, investigators will be called to duty via a 24-hour hotline number."

On June 14-15, over fifty investigators from the aforementioned state agencies received specialized training. The training session, conducted by personnel from California's Department of Alcoholic Beverage Control, focused on strategies and procedures used in tracking alcohol purchases.

Sangamon County will serve as a pilot for both of these new programs. It is expected that *TrAIL* will expand into new counties in the upcoming months, with *Don't Be Sorry* unveiled statewide this fall. For more information, please view the campaign's website www.DontBeSorry.org.

Cash Beer Law

By Ivan Fernandez, ILCC Legal Counsel

The purpose of this article is to educate the industry regarding permissible methods of payment for all purchases of "beer" between retailers and distributors. The term "beer" is defined in Section 1-3.04 of the Illinois Liquor Control Act of 1934 as follows: "*Beer*" means a beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt, and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter and the like.

Section 5/6-5 of the Act provides that the purchase price of all beer sold to a retail liquor licensee shall be paid by said licensee in "cash" on or before delivery of the beer. The following are considered "cash" equivalents:

- 1) Legal tender as provided by the United States Code.
- 2) Checks, including money orders, traveler's checks, business or personal drafts, certified checks, cashier's checks or teller's checks so long as they are not post-dated, and if honored

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ILCC News

Article suggestions
are welcome!

The Commission welcomes your input to enhance the ILCC News publication. If you have a suggestion for an article topic or a helpful hint to share with other licensees, please contact the Commission's Chicago Office.

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by the bank drawn on in the ordinary course of business. The distributor's obligation is to promptly deposit for collection all checks received from retail licensees. Pursuant to Regulation 100.90(c), a post-dated check or a check dishonored on presentation for payment is not deemed to be payment.

- 3) Electronic fund transfers, provided the transfer of funds is initiated by an irrevocable payment order on or before delivery of the beer. If a third party company is utilized for such electronic transfers, i.e. *Fintech*, retailers and distributors are responsible for their respective costs associated with the transaction.

Prepaid Accounts

The ILCC has approved an alternative method for ensuring compliance with the Cash Beer Law. Through mutual agreement, a distributor may create a "prepaid" account with a retailer. To set up a prepaid account, a retailer deposits money with the distributor. This creates a credit balance with the distributor. The distributor can then make a delivery for any amount of product that does not exceed the credit balance.

The following conditions must be met to comply with this ILCC policy:

- 1) Distributors who agree to create prepaid accounts must make the accounts available to all of their retailers.
- 2) Retailers are not permitted to place orders that exceed the amount of the credit balance in their prepaid account unless the retailer pays the difference in "cash" upon delivery of the product.
- 3) Distributors are not permitted to deliver orders that exceed the amount of credit balance in the retailer's prepaid account unless the retailer pays the difference in "cash" upon delivery of the product.
- 4) Both retailers and distributors are responsible for maintaining an accurate accounting of their prepaid accounts.
- 5) Upon request, distributors and retailers must be able to show ILCC Field Agents accounting records that verify compliance with the above requirements.

Liquor agents' hard work rewarded

**By August M. Yount Jr., Program Administrator
Illinois Dept. of Revenue Tax Enforcement Administration**

The Illinois Liquor Control Commission (ILCC) is honored to nominate two of its special agents — **Randal Mendenhall** and **Michael Gedzun** — for the National Liquor Law Enforcement Association (NLLEA) *Agent of the Year* award.

Mendenhall was cited for coordinating compliance sweeps in three major metropolitan areas, as well as greatly assisting the tobacco/alcohol compliance checks which use underage purchasers to test retail sales personnel for ID checks. Meanwhile, Gedzun demonstrated a tireless commitment to the task at hand during his investigation of several complicated and high-profile cases.

"Michael's solid work was crucial to the success of our investigative unit this year," says ILCC Director Mike Malone." Likewise, Randy did an excellent job coordinating among law enforcement agencies, parents, Illinois Department of Revenue agents and liquor control agents. Training was completed in a timely manner so field work would be in conformance with current law."

Also rewarded for his major contribution of hard work, research, and editorship was Special Agent **David Copeland**, nominated for the NLLEA's John W. Britt *Community Service Award*. When wineries began to pop up in Illinois, there was no manual of how to inspect them and insure public safety measures were in place. Copeland visited several and gathered facts and information on the peculiar needs of that growing industry. Dave then borrowed, wrote, compiled and edited that data into a *Winery Inspection Manual*.

Director Malone praises the initiative of Agent Copeland. "The industry needed a guide, as did our Agents," Malone states. "Dave put a lot of effort into making sure we did it right in Illinois."

"Bottle service" is against the law

Recently, several establishments were cited for selling an entire bottle of distilled spirits (ie., vodka, gin, whiskey, etc.) to a table or group of patrons. So-called **"bottle service" is prohibited under Illinois law**. Any establishment found conducting bottle service is subject to a fine, suspension, or revocation of their liquor license.

New law banning AWOL devices signed by Governor

On May 25, Gov. Rod R. Blagojevich signed into law the *Alcohol Without Liquid (AWOL) Device Act*. Effective immediately, the new law prohibits the purchase, sale, and use of devices that mix alcoholic liquor with oxygen for the purpose of inhalation.

An AWOL device enables people to “snort” alcohol through a tube into the nose or mouth, rather than drinking through the mouth. By bypassing the stomach and the filter of the liver, alcohol vapor is absorbed through blood vessels in the nose or lungs, creating a quicker and more intense effect on the brain.

Experts have claimed that the practice of inhaling alcohol vapor is linked to brain damage. The popularity of AWOL devices is increasing in nightclubs and bar businesses throughout the country. It is being marketed as a way to “get high without the

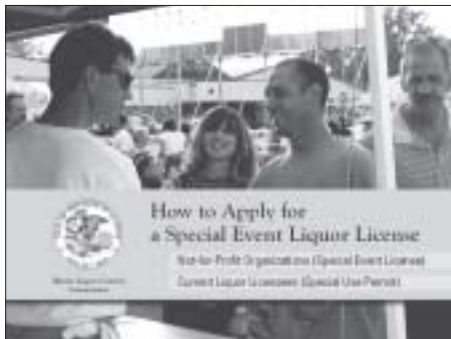
hangover” and as a “dieter’s dream” since no calories are derived from inhaling the alcohol.

AWOL devices have been banned in parts of Britain and Australia, but are gaining popularity in the United States. Anyone found in violation of the AWOL Device Act is subject to a fine of up to \$1,000.00 per occurrence.



Order your FREE Special Event DVD

Summer is here, and special events abound in the State of Illinois. Are you the person in charge of organizing this year’s picnic, village festival, or farmers’ market? Or maybe you’re a retail liquor licensee hosting a special event away from your licensed premise?



Either way, the Illinois Liquor Control Commission knows you have a big job ahead of you and would like to lighten your load. To make the process of applying for your special event license easier, the Liquor Commission has produced a DVD entitled *How to Apply for a Special Event Liquor License*.

Designed for both non-profit organizations and licensed retail establishments, this short video provides step-by-step instructions and tips on how to stay within the law. To order your FREE copy, please visit our website at www.state.il.us/LCC and click on the “FREE Special Event DVD” link, located on the left side of the screen.

Alcohol & Fireworks do not mix

Not only are fireworks dangerous, they are illegal in Illinois. Add alcohol to the mix, and you’re flirting with disaster.

Want to enjoy a safe 4th of July weekend?

Sit back, relax, and leave the fireworks to the professionals!



Tobacco Retailer Kit

Help your employees hit a "home run" in compliance;
order the Tobacco Retailer Kit

Help your team
bat a perfect "1000"
in compliance - order the
Tobacco Retailer Kit

It's the busiest
time of day
and your service lines are full.
Don't let your clerks "strike out"
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KIDS
CAN'T
BUY 'EM
HERE

Smoke, Liquor Control Commission

Tobacco Program

Fox Lake police lieutenant selected as BASSET Trainer-of-the-Quarter

By Lee J. Roupas, ILCC BASSET Program Manager

Among the 190 licensed Beverage Alcohol Sellers and Servers Education and Training (BASSET) providers, included as BASSET trainers are members of the law enforcement community. Twenty-five police departments throughout the state are licensed to conduct BASSET training.

This quarter, the Illinois Liquor Control Commission (ILCC) selected a member of the law enforcement community, Lieutenant Jeffrey Norris from the Fox Lake Police Department, as its *Trainer-of-the-Quarter*.

Lt. Norris became a BASSET trainer after the police department applied for and received their BASSET license three years ago. He enjoys conducting BASSET training because it gives him the opportunity to meet all the liquor licensees and servers in town.

"I like teaching the classes because I am giving them (the servers) information they need and I like the class participation,"

says the 18-year veteran of the Fox Lake Police Department. He urges servers to "be polite but stern" to maintain their clientele. Advice he can give to servers, "Never think too quick even though there is not a lot of time to make a decision, make sure you know what to do before you take action."

When not working at the police department or training servers, Norris enjoys golf, NASCAR, and hiking. He is also an avid supporter of the Special Olympics.

While working for the Fox Lake Police Department, Norris earned a Bachelor's Degree in Criminal Justice from Columbia College by attending classes at night and on weekends.

He and his wife, Nancy, have been married for 16 years.

Retailers: Before you ship, check the law

By William D. O'Donaghue, ILCC Chief Legal Counsel

With the growth of commerce over the Internet, it is important to take a moment and review the laws surrounding the shipment of wine by Illinois licensed retailers to other states. Each state has jurisdiction over whether or not an Illinois retailer may sell wine directly to that state's consumers. Not every state allows this activity and Illinois retailers must check an individual state's laws before embarking on a business plan that includes selling wine to consumers in other states.

Laws regarding a retailer's right to ship wine can change rapidly. Illinois retailers must stay abreast of any changes that occur in another state. Violation of another state's laws regarding the sale of wine to that state's consumers is a violation of Illinois law and will subject the Illinois retailer to an enforcement action by this Commission. The Illinois Liquor Control Commission will issue citations to any Illinois retailer that violates another state's laws regarding the direct sale of wine to another state's consumers.

There are currently at least 34 states that **do not** allow Illinois retailers to sell wine directly to their consumers. Shipping

alcoholic beverages to consumers in these states is a violation of Illinois law and the laws of each respective state. **As of May 31, 2006 no Illinois retail licensee may legally ship to the following states:**

ALABAMA	KENTUCKY	OKLAHOMA
ARIZONA	MAINE	PENNSYLVANIA
ARKANSAS	MARYLAND	RHODE ISLAND
COLORADO	MASSACHUSETTS	SOUTH CAROLINA
CONNECTICUT	MICHIGAN	SOUTH DAKOTA
DELAWARE	MINNESOTA	TENNESSEE
FLORIDA	MISSISSIPPI	UTAH
GEORGIA	MONTANA	VERMONT
HAWAII	NEW JERSEY	WASHINGTON
INDIANA	NEW YORK	WISCONSIN
IOWA	NORTH CAROLINA	
KANSAS	OHIO	

The remaining sixteen states, including Illinois, have various regulations and laws that must be complied with in order to ship alcoholic beverages to their respective consumers. It is your

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responsibility as an Illinois licensed retailer to comply with their laws. Failure to do so will result in an enforcement action being issued against your license. Some states allow retailer shipping based on reciprocity, while other states require an Illinois retailer to obtain a separate license in order to ship.

Prior to shipping alcoholic beverages to an out-of-state customer, it is **your** responsibility as an Illinois-licensed retailer to know that state's law.

"Card Hard" a way to prevent underage sales

By Lee J. Roupas, ILCC BASSET Program Manager

When walking on a main strip in an Illinois town or city, you may walk past a licensed liquor establishment and notice a door decal or poster, featuring a stern looking bouncer carefully checking a young woman's identification card, with a catchy slogan in bold letters that says, "We Card Hard."



"We Card Hard" is the popular Illinois Liquor Control Commission's (ILCC) slogan to prevent underage sales of alcohol in liquor establishments. Liquor licensed establishments display it with the intention of making patrons aware that the door staff and servers of that establishment will "card hard" when asking them to present a form of identification.

The slogan was instituted five years ago from feedback given by college interns that were hired by the commission one summer. ILCC staff sat down with the college interns to discuss underage drinking on college campuses. The interns informed the staff of a common "buzz phrase" on college campuses was "don't go there, they card hard."

After that meeting, the ILCC decided to utilize the "We Card Hard" slogan in an effort to curb underage sales and drinking at liquor establishments and college campuses in Illinois.

The BASSET (Beverage Alcohol Sellers and Servers Education and Training) program can help your establishment properly train staff in checking ID's. Through the training curriculum, participants will learn how to effectively scrutinize identification cards and exercise correct age-verification techniques.



The training goes into great detail on not only checking the information and description, but also the significance and meaning of the different features on an Illinois driver's license or identification card. It will teach the meaning of the bar codes, the numbering on the driver's license, and more. For example, if a bouncer gets handed an Illinois driver's license and finds a social security number on the card, a properly trained bouncer will know that the Illinois Secretary of State's office does not display the social security number on the Illinois driver's license.

When establishments "card hard" and closely observe the ID presented to them, (like the bouncer in the poster), the chances of detecting a fake or fraudulent ID are much greater when they do the math and check the date of birth with the current month and year.

An employee checking IDs should know what the numbers on the side of the picture mean and the driver's license number. Another example is that the driver's license number begins with the first letter of the cardholder's last name followed by three digits and two sets of four digits following with dashes in between the sets of numbers. The number is also in red when the rest of the information is in black.

With these details in mind, establishments can assist in the ILCC's effort in preventing sales to minors and avoiding fines or license revocation.

The Illinois Liquor Control Commission's message is simple to the liquor licensees and their staff: Be one of those establishments that "cards hard!"

Illinois Liquor Control Commission



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- City of Naperville Police Department

MARCH

- Chili's
- Hollywood Boulevard Cinema
- Maggiano's Little Italy

APRIL

- George Kalule
- LGC Associates
- Lodge Management

MAY

- Lincolnwood Police Department



Order your FREE ILCC materials today!

*The following FREE
Liquor Commission
materials are available
to all licensees by
calling 312.814.4802:*

- Illinois Liquor Control Act and ILCC/BASSET Rules and Regulations.
- "Happy Hour Law" and "Just the Facts" fliers.
- Alcohol "Proof of Age" and "Pregnancy Warning" signs.
- BASSET Program Brochure and Age-Verification Guide.
- "We Card Hard" decal and Liquor Licensee Employee Training Guide.